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Your Reference: 10997P3 GB/DM/APK  
Application No: GB 0218864.7

28 January 2003

Dear Sirs

**Patents Act 1977:**  
**Combined Search and Examination Report under Sections 17 and 18(3)**

Latest date for reply: 16 August 2004

I enclose two copies of my search and examination report and two copies of the citations.

By the above date you should either file amendments to meet the objections in the report or make observations on them. If you do not, the application may be refused.

### Publication

I estimate that, provided you have met all formal requirements, preparations for publication of your application will be completed soon after **6 January 2004**. You will then receive a letter informing you of completion and telling you the publication number and date of publication.

### Amendment/withdrawal

If you wish to file amended claims for inclusion with the published application, or to withdraw the application to prevent publication, you must do so before the preparations for publication are completed. **No reminder will be issued.** If you write to the Office less than 3 weeks before the above completion date, please mark your letter prominently: **"URGENT - PUBLICATION IMMINENT"**.

†Use of E-mail: Please note that e-mail should be used for correspondence only.



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Yours faithfully

  
Darren Handley  
Examiner

**Important information about combined search and examination**

I also ask that you take note of the following points. These might have a bearing on the future stages of your application because the examination report has been sent to you before your application has been published.

- (a) You may file voluntary amendments before making a full response to my examination report. We will publish with your application any new or amended claims you file voluntarily or as a full response, provided that they are received before preparations for publication are completed. It would help us when you file amendments before publication if you could **prominently indicate** in a covering letter whether or not the amendments are intended as a full response to the examination report.
- (b) If you file a full response to the examination report before your application is published I will consider it as soon as possible. However, if this would disrupt the publication of your application, I would have to delay taking any action until the application had been published. This delay could be up to 3 months, depending upon when we receive your response.
- (c) There is another situation when there might be a delay between you filing a full response and the Patent Office responding to it. This would arise if you met all my objections but your application had not or had only recently been published. I could not report the outcome of my re-examination until I was satisfied that the search was complete for documents published before the priority date of your invention and that anybody interested in the application has had three months following publication of the application to make observations on the patentability of your invention.
- (d) Provided that the requirements of the Act have been met, I can send your application to grant as early as three months after publication. Before doing so I will bring the original search up to date and raise with you any further objection that might result from this top-up search. However, there is a possibility that at that time I may not have access to all the patent applications published after the priority date of your invention and of possible relevance to your application. If this is the case I would have to complete the search after grant and if necessary raise any new found novelty objection then.



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Application No: GB 0218864.7  
Claims searched: 1-38 and 147-156

Examiner: Darren Handley  
Date of search: 27 January 2003

## Patents Act 1977 : Search Report under Section 17

### Documents considered to be relevant:

Category	Relevant to claims	Identity of document and passage or figure of particular relevance	
X	1-4, 13, 25-29, 37, 38, 148-149, 155-156	WO 02/28180 A2	(ECOLAB) - see page 14, lines 5-15, page 15, line 5- page 16, line 20 and examples 41-47
X	1-4, 17-29, 31-33, 37, 148-149, 154-156	WO 96/17918 A1	(ALLAN) -see page 8, line 5-page 11, line 7, page 16, line 21- page 18, line 22 and claim 1.
X	1-16, 37, 148-149, 153-156	US 2002/0064542 A1	(DECKNER) - see claims 1, 5 and 13
X	1-4, 13, 29-33, 38, 149-152, 155-156	US 5942478 A	(LOPES) - see claims 1, 4, 7 and 8
X	1-4, 17, 25, 27-28, 37, 148-149, 154-156	US 6153572 A	(STAMM) - see column 3, line 29- column 4, line 54 and claim 2
X	1-4, 17, 25, 27-28, 37, 148-149, 154-156	WO 96/35645 A1	(CHEM) - see page 4, line 16- page 5, line 22, page 6, line 27- page 7, line 35 and claim 1

### Categories:

X	Document indicating lack of novelty or inventive step	A	Document indicating technological background and/or state of the art.
Y	Document indicating lack of inventive step if combined with one or more other documents of same category.	P	Document published on or after the declared priority date but before the filing date of this invention.
&	Member of the same patent family	E	Patent document published on or after, but with priority date earlier than, the filing date of this application.

### Field of Search:

Search of GB, EP, WO & US patent documents classified in the following areas of the UKC<sup>v</sup>:



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Application No: GB 0218864.7  
Claims searched: 1-38 and 147-156

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A5E

Worldwide search of patent documents classified in the following areas of the IPC<sup>7</sup>:

A01N

The following online and other databases have been used in the preparation of this search report :

Online: WPI, EPODOC, JAPIO



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## Patents Act 1977

### Combined Search and Examination Report under Sections 17 & 18(3)

#### Conciseness

1. Compositional claims 39-146 are considered to lack conciseness as the protection sort by these claims appears to be identical to that sort by claims 1-38. Therefore I have concentrated my search and examination on compositional claims 1-38 and the use claims 147-156. You should either identify how claims 39-146 differ in scope from claims 1-38 (including combinations of dependent with independent claims), or you should delete these claims. It should be noted that if you identify any of claims 39-146 to be a separate invention from that specified in claim 1 then a further form 9/77 may be required.

#### Novelty

2. The invention as defined in claims 1-4, 10, 13, 17-20, 23-33, 37, 38, 148-150, 153-156 is not new because it has already been disclosed in the following documents:

WO 02/28180 A2 (ECOLAB) - see page 14, lines 5-15, page 15, line 5- page 16, line 20 and examples 41-47 - relevant to claims 1-4, 13, 25-29, 37, 38, 148-149, 155-156

WO 96/17918 A1 (ALLAN) - see page 8, line 5- page 11, line 7, page 16, line 21- page 18, line 22 and claim 1 - relevant to claims 1-4, 17-20, 23-29, 31-33, 37, 148-149, 154-156

US 2002/0064542 A1 (DECKNER) - see claims 1, 5 and 13 - relevant to claims 1-4, 10, 13, 37, 148-149, 153-156

US 5942478 A (LOPES) - see claims 1, 4, 7 and 8 - relevant to claims 1-4, 13, 29-33, 38, 149-150, 155-156

US 6153572 A (STAMM) - see column 3, line 29- column 4, line 54 and claim 2 - relevant to claims 1-4, 17, 25, 27-28, 37, 148-149, 154-156

WO 96/35645 A1 (CHEM) - see page 4, line 16- page 5, line 22, page 6, line 27- page 7, line 35 and claim 1 - relevant to claims 1-4, 17, 25, 27-28, 37, 148-149, 154-156

3. All of the documents disclose anti-microbial compositions that comprise water, an organic acid and one of the polymer types specified in claim 4 and as such are considered to anticipate the above stated claims.

#### Inventive step

4. The invention as defined in claims 5-9, 11, 12, 14-16, 21-22, 151, 152 is obvious in view of what has already been disclosed in the following documents:

US 2002/0064542 A1 (DECKNER) - see claims 1, 5 and 13



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US 5942478 A (LOPES) - see claims 1, 4, 7 and 8

US 6153572 A (STAMM) - see column 3, line 29- column 4, line 54 and claim 2

5. US 2002/0064542 discloses a cleaning composition which may comprise a range of maleic anhydride co-polymers and it is considered obvious that the polymers disclosed in claims 21 and 22 may be used given their similarity to those disclosed.

6. US 5942478 discloses a tissue which may incorporate a number of pyrrolidone based polymers and given that these polymers provide the desired retardation of the active agents it is considered obvious that similar polymers, such as that disclosed in claims 5-9, 11, 12 and 14-16 may be used.

7. US 6153572 discloses a soap composition and it is considered obvious that similar compositions could be used in laundry and dishwashing applications thus claims 151-152 are considered obvious.

### Clarity

8. All of your independent claims include optional features. This is considered to obscure the scope of the claims and the optional features should either be deleted or made the subject of dependent claims.

9. The use of the term "about" in claims 25-28 and 32-36 (and related claims) is considered to obscure the scope of the ranges specified and should therefore be deleted.

10. It is apparent from the description on page 1, lines 9-15 that the purpose of your invention is to provide an improved anti-microbial disinfectant yet claims 1-146 do not specify this as an essential feature of your composition.

11. Examples 1 and 20 respectively do not appear to comprise a polymer and an organic acid and as such are outside the scope of the claims. If these examples are intended to be comparative, they should be stated as being so.

12. The passage on page 34, line 31- page 35, line 7 is considered to serve only to obscure the scope of the invention and should therefore be deleted.

13. It is not clear in claim 1 what is meant by the term "complex" as this term usually relates to coordination compounds and it is unclear how an acid can coordinate to the polymers specified in claim 4.



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[ Examination Report contd. ]

## Title

14. Your title is not considered to be appropriate and should be amended to reflect your invention.

## Registered Trade Marks

15. Although they should preferably be avoided, if you wish to keep the references to the Registered Trade Marks "Lupersol, Hotaspur, Dymel" on pages 19, 27, 32 of your specification, you should acknowledge that they are Registered Trade Marks, possibly by using the abbreviation "(RTM)". If you do not insert an acknowledgment, I will do so in manuscript.

## Consistency

16. The description should be made consistent with any amendments made to the claims in order to meet the above objections.